



भारत का राजपत्र

The Gazette of India

प्रसाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (१)

PART II—Section 3—Sub-section (1)

प्राप्तिकार से प्रलापित

PUBLISHED BY AUTHORITY

प्र० 332] नई विदेशी बुधपार, अक्टूबर 6, 1976/ग्राहितम् 14, 1898

No. 332] NEW DELHI, WEDNESDAY, OCTOBER 6, 1976/ASVINA 14, 1898

उपरामा में भिन्न राइट तंत्रिया दी जाती है जिससे कि यह आना संरक्षन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF AGRICULTURE AND IRRIGATION

(Department of Food)

ORDER

New Delhi, the 6th October 1976

G.S.R. 832(F).—Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of rice and paddy in the Southern States of India;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement**—(1) This Order may be called the Rice and Paddy (Southern Zone) Movement Control Order, 1976.

(2) It extends to the States of Andhra Pradesh, Tamil Nadu and Karnataka and the areas comprising Yanam, Pondicherry and Karaikal in the Union territory of Pondicherry.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) “export” means to take or cause to be taken by any means whatsoever,—

(i) for purposes of movement of paddy, from any place within a “specified area” to any place outside it, and from any place within the Southern Zone to any place outside it; and

- (ii) ~~for purposes of movement of rice, from any place within the Southern Zone to any place outside it;~~
- (b) "means to take or cause to be taken by any means whatsoever,—
 - (i) for purposes of movement of paddy, from any place outside any "specified area" to any place in it; or
 - (ii) for purposes of movement of rice, from any place outside the Southern Zone to any place in it;
- (c) "rice" means dehusked paddy and includes broken rice and products of rice other than rice bran or husk and does not include paddy;
- (d) "State Government" means the Government of a State included in the Southern Zone and includes the Administrator of the Union territory of Pondicherry;
- (e) "Southern Zone" means the territory comprised within the States of Andhra Pradesh, Tamil Nadu and Karnataka and the areas comprising Yanam, Pondicherry and Karaikal in the Union territory of Pondicherry;
- (f) "specified area" means any of the following areas within the Southern Zone, namely:—
 - (i) the State of Andhra Pradesh and the area comprising Yanam in the Union territory of Pondicherry;
 - (ii) the State of Tamil Nadu and the areas comprising Pondicherry and Karaikal in the Union territory of Pondicherry;
 - (iii) the State of Karnataka.

3. Restrictions on export and import of rice.—(1) No person shall export or attempt to export or abet the export of rice from any place within the Southern Zone except under and in accordance with a permit issued by—

- (a) the Central Government or by any officer authorised by it in this behalf, or
- (b) the State Government concerned or by any officer authorised in this behalf by that Government subject to the condition that such exports under permits shall be regulated in accordance with such directions as may be issued by the Central Government in this behalf from time to time,

(2) No person shall import or attempt to import or abet the import of rice into any place within the Southern Zone except under and in accordance with a permit issued by—

- (a) the Central Government or by any officer authorised by it in this behalf; or
- (b) the State Government concerned or by any officer authorised in this behalf by that Government, subject to the condition that such imports under permits shall be regulated in accordance with such directions as may be issued by the Central Government in this behalf from time to time;

Provided that nothing contained in sub-clauses (1) and (2) shall apply to the export of rice from and import of rice into any place within the Southern Zone—

- (i) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage; or
- (ii) on Central Government account; or
- (iii) under and in accordance with Military Credit Notes; or
- (iv) where such export or import is of gift rice received under the Indo-US Agreement on Relief Supplies, 1968; or
- (v) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 (37 of 1964);

Provided further that it shall be lawful for a person to import rice, being the produce of his own land situated in a State outside the Southern Zone, for bona fide consumption by himself and the members of his family, under and in accordance

with a permit issued by the Central Government or the State Government concerned or by any officer authorised in that behalf by the Central Government or, as the case may be by the State Government.

4. Restrictions on Transport of Rice to or from or within the Border Area.— No person shall transport, attempt to transport or abet the transport of rice—

- (a) to any place in the border area from any place outside that area, or
- (b) from any place in the border area to any other place in that area,

export under and in accordance with a permit issued by the State Government concerned or any officer authorised by that Government in this behalf;

Provided that nothing contained herein shall apply to the transport of rice—

- (i) on Central Government account; or
- (ii) under and in accordance with Military Credit Notes; or
- (iii) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 (37 of 1964); or
- (iv) within the same town or village in the border area; or
- (v) from a village in the border area to the nearest grain market (mandi) in the States of Andhra Pradesh and Karnataka whether such market (mandi) is within or outside the border area; or
- (vi) not exceeding twenty kilograms in weight in the aggregate at one time by a bona fide resident of the border area for domestic consumption; or
- (vii) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage; or
- (viii) being gift rice received under the Indo-US Agreement on Relief Supplies, 1968;

Provided further that nothing contained in this clause shall apply to the transport of rice by the Andhra Pradesh State Civil Supplies Corporation.

Explanation.—For the purposes of this clause, 'border area' means—

- (i) the area falling within the fifteen-kilometer belt inside the Southern Zone and adjoining the States of Kerala, Madhya Pradesh, Maharashtra and Orissa and the area comprising Goa in the Union territory of Goa, Daman and Diu;
- (ii) such area as may be notified by the State Government with the prior approval of the Central Government.

5. Restrictions on through Transport of Rice.—No person shall transport, attempt to transport or abet the transport of rice from one place outside the Southern Zone to another place outside the Zone through any place within that Zone unless—

- (a) in the case of transport by rail, the rice is not off-loaded at any place within the Southern Zone; or
- (b) in the case of transport other than by rail, the Government of the State in which the transport commences or any officer authorised in this behalf by that Government has issued a permit for the transport of the rice through the Southern Zone.

6. Restrictions on Export of Paddy.—No person shall export or attempt to export or abet the export of paddy from any place within a specified area to a place outside that area or from any place within the Southern Zone to any place outside it except under and in accordance with a permit issued by—

- (i) the Central Government or by any officer authorised by it in this behalf; or

(ii) the State Government concerned or by any officer authorised in this behalf by that Government subject to the condition that such exports under permits shall be regulated in accordance with such directions as may be issued by the Central Government in this behalf from time to time:

Provided that it shall be lawful for a person to export seed paddy not exceeding four quintals for bona fide agricultural purposes under and in accordance with a permit issued by the Central Government or the State Government concerned or by any officer authorised in this behalf by the Central Government or as the case may be, by the State Government.

7. Restrictions on Transport of Paddy to, from or within the Border Area.— No person shall transport, attempt to transport or abet the transport of paddy—

- (a) to any place in the border area from any other place outside that area; or
- (b) from any place in the border area to any place outside that area; or
- (c) from any place in the border area to any other place in that area, except under and in accordance with a permit issued by the State Government concerned or any officer authorised by that Government in this behalf.

Explanation.—For the purposes of transport of paddy, 'border area' means the area as defined in the EXPLANATION to clause 4.

8. Exemptions.— Nothing contained in clause 6 or clause 7 shall apply to the export or transport of paddy—

- (i) on Central Government account; or
- (ii) under and in accordance with military Credit Notes; or
- (iii) by or on behalf of the Food Corporation of India established under section 3 of the Food Corporations Act, 1964 (37 of 1964); or
- (iv) not exceeding five kilograms in weight in the aggregate by a bona fide traveller as part of his luggage; or
- (v) being the whole or part of the produce of land cultivated or owned by a person for his domestic consumption in a place outside the Southern Zone under and in accordance with a permit granted by the competent authority; or
- (vi) within the same town or village in the border area; or
- (vii) from a village in the border area to the nearest market (mandi) in the Southern Zone whether such market (mandi) is within or outside the border area; or
- (viii) being received as gift under the Indo-US Agreement on Relief Supplies, 1968; or
- (ix) not exceeding twenty kilograms in weight in the aggregate at one time by a bona fide resident of the border area for domestic consumption.

9. Powers of Entry Search, Seizure Etc.— (1) Any Police officer not below the rank of a Head Constable or any other officer authorised in this behalf by the Central Government or by the State Government under a notification specifying the rank of such officer may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (a) stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export or transport of rice or paddy;
- (b) enter, search or examine any place;

(c) seize—

- (i) any stock of rice or paddy in respect of which he has reason to believe that a contravention of any of the provisions of this Order has been, is being, or is about to be committed; and
- (ii) any packages, coverings or receptacles in which such stocks of rice or paddy is found; and
- (iii) the animals, vehicles, vessels, or other conveyances used in carrying such stocks of rice or paddy, if he has reason to believe that such animals, vehicles, vessels or other conveyances are liable to be forfeited under the provisions of the Essential Commodities Act, 1955 (10 of 1955), and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or other conveyances so seized before the Collector of the district or the Presidency-town, if required to do so, and for their safe custody pending such production;
- (iv) examine or seize any books of accounts or documents which in his opinion shall be useful for, or relevant to, any proceedings in respect of any contravention of this Order and allow the person from whose custody such books of accounts or documents are seized to make copies therof or to take extracts therefrom in his presence.

(2) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizures shall, so far as may be, apply to searches and seizures under this clause.

10. Establishment of Check Post or Barrier and Inspection of Rice or paddy while in Transit.—(1) With a view to preventing the smuggling of rice or paddy or to the proper enforcement of this Order in any place or places in any area to which this Order extends, the State Government may by notification direct the setting up of a check post or the erection of a barrier, or both, at such place or places as may be notified.

(2) At every check post or barrier mentioned in sub-clause (1) or at any other place when so required by any officer empowered by the State Government in this behalf the driver or any other person in charge of a goods vehicle or boat shall stop the vehicle or boat, as the case may be, and keep it stationary as long as may reasonably be necessary, and allow the officer in charge of the check post or the barrier, or the officer empowered as aforesaid, to examine the contents in the vehicle or boat and inspect all records relating to the rice or paddy which is in the possession or custody of such driver or other person in charge, who shall if so required by the said officer, give his name and address and the name and address of the owner of the vehicle or boat, and the full particulars of the owner of any rice or paddy stock found in his possession or custody.

(3) If any rice or paddy which is under transport by a goods vehicle or boat is not covered by a permit issued by a competent authority, the officer in charge of the check post or the barrier, or the officer empowered under sub-clause (2), shall have power to seize the rice or paddy, as the case may be, and take such further measures as are considered necessary by him in accordance with the provisions of the Code of Criminal Procedure, 1973 (2 of 1974).

11. Repeal and Saving.—The Rice (Southern Zone) Movement Control Order, 1957 and the Southern States (Regulation of Export of Rice) Order, 1964 issued by the Central Government are hereby repealed, except as respects things done or omitted to be done for such repeal.

[No. 4(SRZ) (2) /76-D&R(I)—41]

L. C. GUPTA, Jt. Secy.

महा प्रबन्धक, भारत सरकार मुद्रणालय, मिन्टो रोड, नई दिल्ली द्वारा
मुख्य प्रिंटर संघ नियंत्रक, प्रकाशन विभाग, दिल्ली द्वारा प्रकाशित 1976

